

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TIMOTHY BUTTLER,¹

Petitioner,

v.

JAMES L. GRACE,

Respondents.

CIVIL ACTION

NO. 07-1529

FILED

SEP 05 2007

ORDER

MC
By MD Clerk
Deputy Clerk

AND NOW, this 4th day of Sept., 2007, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the Response thereto, and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated July 31, 2007, IT IS HEREBY ORDERED that:

1. the R&R is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:


MARVIN KATZ, J.

¹Petitioner spelled his surname on the initial Petition (Dkt. No. 1) as Buttler, therefore it appears on the official court docket as Buttler. In Petitioner's state court proceedings and in subsequent pleadings submitted by Petitioner in this Court, notably the Amended Petition (Dkt. No. 3), Petitioner's surname is spelled Butler.